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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,345	09/26/2003	Bong-joo Kim	45270	5241

7590 08/09/2006  
Roylance Abrams Berdo & Goodman  
6th Floor  
1300 19th Street, NW  
Washington, DC 20036

EXAMINER
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WATKO, JULIE ANNE

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/670,345

Applicant(s)

KIM ET AL.

Examiner

Julie Anne Watko

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8,10 and 14 is/are rejected.
- 7) ☒ Claim(s) 2-7,9,11,12 and 15-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The amendments to the claims have overcome the indefiniteness rejections.

### ***Information Disclosure Statement***

2. On page 8, Applicant refers to a supplemental IDS, filed concurrently on July 20, 2006. The Examiner notes that no such supplemental IDS appears in the record as having been filed on July 20, 2006. Thus, no complete copy and no list has been provided for CN 1155734 .

### ***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 8, 10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugihara (US Pat. No. 4422114).

As recited in claim 1, Sugihara shows a deck of a tape recorder comprising: a deck chassis 1; a tape cassette housing 44; and a locking device (including 42) for the tape cassette housing of the tape recorder, which comprises: a locking lever 42 connected to (but not directly to) the tape cassette housing when the tape cassette housing is both received in and removed from the deck chassis; a locking recess (below 42a in the figures) formed within the locking lever; and a locking protrusion (44a, for example), comprising at least one edge (upper edge in Fig. 7) formed at an outer surface such that the at least one edge comes into contact with a corner (right corner of 42a in Fig. 7) of the locking recess when the tape cassette housing is locked onto the deck chassis (see solid lines in Fig. 7).

Art Unit: 2627

As recited in claim 8, Sugihara shows a locking device (including 42) of a tape cassette housing of a tape recorder, comprising: a locking recess (below 42a in the figures) formed within a locking lever 42, the locking lever being connected to (but not directly to) the tape cassette housing when the tape cassette housing is both received in and removed from the tape recorder; and a locking protrusion (44a, for example), comprising at least one edge (upper edge in Fig. 7) formed at an outer surface such that the at least one edge comes into contact with a corner (right corner of 42a in Fig. 7) of the locking recess when the tape cassette housing is locked onto a deck chassis (see solid lines in Fig. 7).

As recited in claim 10, Sugihara shows a device according to claim 8, wherein the locking recess comprises: the corner (right corner of 42a in Fig. 7) being adapted to contact the at least one edge to mate with the locking recess with the locking protrusion thereby locking the tape cassette housing.

As recited in claim 14, Sugihara shows a locking device (including 42 and 44a) for a tape cassette housing 44 of a tape recorder comprising: a locking lever 42 connected to (but not directly to) the tape cassette housing when the tape cassette housing is both received in and removed from the deck chassis; a locking recess (below 42a in the figures) formed within the locking lever 42; and a locking protrusion 44a, comprising at least one edge (upper edge in Fig. 7, for example) formed at an outer surface such that the at least one edge comes into contact with a corner (right corner of 42a in Fig. 7) of the locking recess when the tape cassette housing 44 is locked onto a deck chassis 1.

***Allowable Subject Matter***

5. Claims 2-7, 9, 11-12 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's arguments filed July 20, 2006, have been fully considered but they are not persuasive.

On page 10, Applicant argues "the Sugihara '114 patent does not disclose or suggest a locking device in which a locking lever is connected to the tape cassette housing when the tape cassette housing is both received in and removed from a deck chassis of a tape recorder". The Examiner has considered this argument thoroughly and asserts that the locking lever is always connected to the tape cassette housing insofar as the two parts constitute a single tape recorder. Nothing in the rejected claims requires direct connection between the locking lever and the tape cassette housing.

Furthermore, even if the claims were somehow interpreted to require direct connection between the locking lever and the tape cassette housing, there would be no invention in reversing known parts. See In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955) (Prior art disclosed a clock fixed to the stationary steering wheel column of an automobile while the gear for winding the clock moves with steering wheel; mere reversal of such movement, so the clock moves with wheel, was held to be an obvious expedient.)

Moreover, there is no invention in relocating known parts, when the functioning of the apparatus is not changed by the relocation. In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2627

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Anne Watko whose telephone number is (571) 272-7597.

The examiner can normally be reached on Monday through Thursday, noon to 10PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Julie Anne Watko, J.D.  
Primary Examiner  
Art Unit 2627

August 3, 2006  
JAW

A handwritten signature in black ink, appearing to read 'Julie Anne Watko', with a stylized, flowing script.